

DEPARTMENT OF STATE REVENUE
LETTER OF FINDINGS NUMBER: 02-0550P
Income Tax
For Calendar Year 2000

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ISSUE(S)

I. **Tax Administration** – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

STATEMENT OF FACTS

Taxpayer filed its S-Corporation income tax return thirteen days late for the tax year ending December 31, 2000. The department issued a penalty billing.

I. **Tax Administration** – Penalty

DISCUSSION

Taxpayer states that the business was discontinued and there are no assets. Taxpayer requests that the penalty be waived.

Taxpayer failed to timely file its IT20-S return for calendar year 2000. Departmental records indicate the taxpayer has not filed for dissolution.

IC 6-8.1-10-2.1(g) states:

A person who fails to file a return for a listed tax that shows no tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

Taxpayer filed its return thirteen days late. The department finds that a negligence penalty is proper.

FINDING

Taxpayer's protest is denied.